

STATE OF CALIFORNIA  
ENVIRONMENTAL PROTECTION AGENCY  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Safety-Kleen Systems, Inc.  
2918 Worthen Avenue  
Los Angeles, CA 90039

ID No. CAT000613935

Respondent.

Docket HWCA 2007-1350

CONSENT ORDER

Health and Safety Code  
Section 25187

1. INTRODUCTION

1.1. Parties. The California Department of Toxic Substances Control (Department) and Safety-Kleen Systems, Inc. (Respondent) enter into this Consent Order (Order) and agree as follows:

1.2. Site. Respondent generates, handles, treats, and/or stores hazardous waste at the following site: 2918 Worthen Avenue, Los Angeles, CA 90039 (Site).

1.3. Inspection. The Department inspected the Site on October 27, 2006 and November 1 and 2, 2006.

1.4. Authorization Status. The Department authorized Respondent to manage hazardous waste by Permit issued on June 10, 1997.

1.5. Jurisdiction. Health and Safety Code section 25187, authorizes the Department to order action necessary to correct violations and to assess a penalty when the Department determines that any person has violated specified provisions of the Health and Safety Code or any permit, rule, regulation, standard, or requirement issued or adopted pursuant thereto.

1.6. Full Settlement. This Order shall constitute full settlement of the violations alleged below. The Parties, and each of them, agree that this Order, and all

of the terms contained herein, are fair, reasonable, and in the public interest. By agreeing to this Order, the Department does not waive any right to take other enforcement actions except as specifically provided in this Order.

1.7. Hearing. Respondent waives any and all rights to a hearing in this matter.

## 2. VIOLATIONS ALLEGED

2.1. The Department alleges the following violations:

2.2. The Respondent violated Health and Safety Code section 25201 (a), in that prior to October 27, 2006, Respondent stored hazardous waste in excess of the ten days allowed under the transfer facility exemption without a permit or other grant of authorization from the Department. To wit: At least sixteen (16) manifests (manifest #'s 23676049, 25000173, 24623002, 25010810, 24250085, 24611381, 24625767, 24362722, 23676374, 24625241, 25027948, 24123475, 25030299, 24364898, 24638660, and 24621698) from the year 2006 showed waste had been stored for over 10 days.

2.3. The Respondent violated Health and Safety Code, section 25189.2 (a) in that on or about October 27, 2006, Respondent made a false representation in manifest for purposes of compliance. To wit: The total quantity of waste transported under Manifest #23687768 was altered when received by the facility.

2.4. The Respondent (as a facility) violated California Code of Regulations, section 66264.71 (a)(1), in that prior to October 27, 2006, Respondent failed to properly date each manifest copy to certify that waste was received. To wit: At least three manifests (manifest #'s 23660869, 24611381, and 23687768) showed no date when the waste was received by the facility.

2.5. Respondent (as a transporter) violated California Code of Regulations, section 66263.20 (b), in that prior to October 27, 2006, Respondent failed to properly date the manifest acknowledging acceptance of waste from the generator. To wit: At least six manifests were not dated upon receipt of waste.

### 3. SCHEDULE FOR COMPLIANCE

3.1. Respondent has corrected the violations cited above. Respondent shall operate hereafter in a manner that shall prevent recurrences of the violations cited in this Consent Order.

3.2. Respondent shall make all payments at the time and in accord with any other conditions set forth in Section 5 (Penalty) below.

### 4. OTHER PROVISIONS

4.1. Penalties for Noncompliance. Failure to comply with the terms of this Order may subject Respondent to costs, penalties and/or damages, as provided by Health and Safety Code section 25188, and other applicable provisions of law.

4.2. Parties Bound. This Order shall apply to and be binding upon Respondent and its officers, directors, agents, employees, contractors, consultants, receivers, trustees, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Order.

4.3. Integration. This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this Order.

### 5. PENALTY

5.1. Respondent shall pay the Department a total sum of \$14,000 as penalty.

5.2. Payment is due within 30 days from the effective date of this Order.

5.3. Respondent's check(s) shall be made payable to Department of Toxic Substances Control, shall identify the Respondent and Docket Number, as shown in the caption of this case, and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control  
Accounting Office  
1001 I Street, 21st floor  
P. O. Box 806  
Sacramento, California 95812-0806

A photocopy of the check(s) shall be sent to:

Mukul Agarwal, Unit Chief  
Statewide Compliance Division  
Glendale Branch  
1011 N. Grandview Avenue  
Glendale, CA 91201

5.4. If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code section 25360.1, and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

#### 6. EFFECTIVE DATE

6.1. The effective date of this Order is the date it is signed by the Department.

Dated: 6/6/07

**Original signed by: Virgil W. Duffie, III**

Virgil W. Duffie, III  
Assistant Secretary  
Safety Kleen Systems, Inc.

Dated: 6/13/07

**Original signed by: Mukul Agarwal**

Mukul Agarwal, Unit Chief  
Statewide Compliance Division  
Department of Toxic Substances Control